IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 11472 of 1998

DATED: 03.02.2006

Between:

Rasamay Kabiraj petitioner

And

Airports Authority of India,

Rajiv Gandhi Bhavan, Safdarjung airport,

New Delhi,

Rep by its Chairman and others Respondents

THE HON'BLE SRI JUSTICE N.V.RAMANA

WRIT PETITION NO. 11472 OF 1998

ORAL ORDER:

The present writ petition is filed seeking a direction that the petitioner is entitled to be selected and appointed as Aerodrome Officer pursuant to notification issued on 30.4.1997 with all consequential benefits.

The case of the petitioner is that he is working as Aerodrome Assistant and fulfill the required qualifications for the post of Aerodrome Officer and applied for the said post pursuant to notification dated 30.4.1997. The petitioner attended the written test and having succeeded therein was called for interview and voice test. The petitioner claims that he has fared well both in the interview and voice test and expected his selection in the first list. However, his name did not figure in the select list. The

petitioner contends that he having been selected as Aerodrome Assistant in the year 1995 is performing similar duties as that of Aerodrome Officer and gained experience in the field and respondents are not justified in not including his name in the select list on the ground that he did not fare well in the voice test. The petitioner states that he belongs to open category and would not have further chance to appear for the post of Aerodrome Officer, inasmuch as he would become over aged and would be disqualified from competing for the posts in direct recruitment. Hence, the present writ petition.

The specific contention of the petitioner in the present writ petition is that he has fared well both in the interview and voice test and alleges that his case was not considered on the ground that he did not fare well in the voice test. The petitioner further contends he was appointed as Aerodrome Assistant on 29.10.1995 and performing similar duties without any remarks at Hyderabad Airport and it cannot be said that he did not fare well in the voice test.

The writ petition was admitted in the year 1998 and underwent several adjournments, however, no counter affidavit is forthcoming from the respondents to defend the case. Finally, on 2.2.2006 the matter was adjourned and directed to be posted for “orders”. Today, though the matter is posted for orders, none appeared for respondents, nor any counter affidavit was filed on behalf of the respondents denying the averments made in the writ petition.

In the absence of any counter affidavit rebutting the averments made in the writ petition and in the absence of any representation on behalf of the respondents to defend the case, this Court has no other option except to believe the averments made in the writ petition as true and correct.

Hence, accepting the writ averments to be true and correct, the writ petition is allowed directing the respondents to consider the case of the petitioner for selection to the post of Aerodrome Officer and pass appropriate orders. No costs.

N.V.RAMANA,J

3.2.2006

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